

EXHIBIT 5

March 1, 1934 letter to Wm. Kearney from Ethelbert Ward,
Special Assistant to the Attorney General

WRPT007768

HWB - GAI

215500.

332 Postoffice Building,

Denver, Colorado, March 1, 1934.

U. S. v. Walker River Irrigation District, et al.
U. S. Court, Nevada.

Wm. M. Kearney, Esq.,
Attorney at Law,
Reno, Nevada.

My dear Mr. Kearney:

As I wrote you before, I received your letter of Jan. 12, 1934, in relation to a re-hearing in the above suit, or a stipulation on the subject of the proposed construction of a reservoir on the Walker River Reservation. I immediately wrote, on Jan. 15, to the Indian Irrigation Service in Washington for information. There was received at my office on Monday, the 26th of February, a reply from the Commissioner of Indian Affairs.

However, without waiting for a reply from the Indian Service, I consulted last week at Reno with Judge Iverson of the Department of Justice, and it was decided that your request could not be granted.

I, therefore, refer to the conversation Mr. Boyle and I had with you last week and state, as we did then, that the Department of Justice will be compelled to resist any re-hearing or stipulation in the above suit.

Yours very sincerely,

Ethelbert Ward

Ethelbert Ward,
Special Assistant to
the Attorney General.

EW/ELM

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